

JOSEPH P. RUSSONIELLO, CSBN 44332
 United States Attorney
 JOANN M. SWANSON, CSBN 88143
 Assistant United States Attorney
 Chief, Civil Division
 ILA C. DEISS, NY SBN 3052909
 Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 Telephone: (415) 436-7124
 FAX: (415) 436-7169

Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

NISHAT KOUSAR,

Plaintiff,

v.

ROBERT MUELLER, III, Director,
 Federal Bureau of Investigations;
 GREGORY CHRISTIAN, Acting Director,
 Nebraska Service Center, USCIS;
 EMILIO GONZALES, Director, U.S.
 Citizenship and Immigration Services (USCIS);
 MICHAEL CHERTOFF, Secretary,
 Department of Homeland Security;
 PAUL CLEMENT, Acting Attorney General,
 Department of Justice;
 TERRY RICE, San Francisco Field Office
 Director, USCIS;

Defendants.

No. C 07-5221 EDL

**STIPULATION TO DISMISS; AND
 [PROPOSED] ORDER**

On March 11, 2008, the Court granted Plaintiff's cross-motion for summary judgment in part and granted Defendants' cross-motion for summary judgment in part. In that Order, the Court asked the parties for more briefing on whether a recent policy implemented on February 4, 2008, by U.S. Citizenship and Immigration Services (USCIS), as articulated in the memorandum entitled Revised National Security Adjudication and Reporting Requirements by Michael Aytes, Associate Stipulation to Dismiss
 C07-5221 EDL

1 Director of Domestic Operations, HQ 70/23 and 70/28.1, (attached as Exh. A) was implicated in
2 this case. The Federal Bureau of Immigration completed Plaintiff's name check earlier this year
3 and, therefore, the Aytes Memorandum was not implicated in this case. However, on March 17,
4 2008, USCIS approved Plaintiff's application for adjustment of status to legal permanent resident.

5 Accordingly, Plaintiff, by and through her attorney of record, and Defendants by and through
6 their attorney of record, hereby stipulate, subject to the approval of the Court, to dismissal of the
7 action in light of the adjudication of Plaintiff's adjustment of status application (Form I-485).

8 Dated: March 17, 2008

Respectfully submitted,

9 JOSEPH P. RUSSONIELLO
10 United States Attorney

11 _____
12 /s/
13 ILA C. DEISS¹
Assistant United States Attorney
Attorney for Defendants

14
15 Dated: March 17, 2008

16 _____
17 /s/
BEN LOVEMAN
Attorney for Plaintiff

18 **ORDER**

19 Pursuant to stipulation, IT IS SO ORDERED.
20

21 Date:

22 _____
ELIZABETH D. LAPORTE
United States Magistrate Judge

23
24
25
26 _____
27 ¹ I, Ila C. Deiss, hereby attest that I have on file all holograph signatures for any
28 signatures indicated by a "conformed" signature (/S/) within this efiled document.